

**REMARKS**

Claims 1-40 are currently pending in this application. The non-final office action mailed April 9, 2004 rejected claims 1-40. Applicant has amended Claims 1, 11, 17, 27, 34, 39, and 40 based on a telephonic interview with the Examiner and for no other reason than to further clarify the patentable subject matter of the claimed invention and not to narrow the scope of the claimed invention. No Claims have been cancelled. No new matter has been included by the amended claims, and it is respectfully submitted that each of the present claims find basis and support in the application as filed. For the reasons discussed in detail below, Applicant submits that the pending claims are patentable over the art of record.

**Telephonic Interview**

On July 30, 2004, a telephonic interview was conducted with the Examiner with respect to the pending claims and in particular, with respect to the differences between the cited prior art reference U.S. patent No. 6,484,149 to Jammes et al (hereinafter "Jammes"), and the claimed invention. It was agreed that the claimed invention may be employed regardless of a presence of a structured database, such as a relational database. That is, the database-structured query of the claimed invention may be performed upon at least a non-database arrangement of content, such as the Internet. It was further agreed that because the cited prior art reference as described can not function without the presence of a particular structured database it is an inapplicable reference and should be withdrawn. Substantially the same constraint exists for the cited prior art reference U.S. patent No. 6,105,043 to Francisco et al (hereinafter "Francisco"). Therefore, for at least the same reason as above, Francisco is also inapplicable.

The Applicant has agreed to amend the claims to clarify this distinction, without narrowing the claim scope. The Applicant wishes to thank the Examiner for taking the time to

discuss the claimed invention and fully appreciate this difference between the cited reference and the claimed invention.

**Rejection of Claims 1-40 under 35 U.S.C. §103**

The Office Action rejected Claims 1, 3-11, 13-17, 19-21, 24, 26-30, 32-38, 40 under 35 U.S.C. §103(a) as being unpatenable over Jammes. Claims 2, 18, and 25 were rejected under 35 U.S.C. §103(a) as being unpatenable over Jammes, in view of U.S. patent No. 6,064,979 to Perkowski. Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatenable over Jammes, in view of Perkowski and further in view of Francisco. Claims 22-23 were rejected under 35 U.S.C. §103(a) as being unpatenable over Jammes, in view of Francisco and further in view of U.S. patent No. 6,466,940 to Mills. Claim 39 is rejected under 35 U.S.C. §103(a) as being unpatenable over Jammes, in view of U.S. patent No. 6,59,7377 to MacPhail, and claim 31 is rejected under 35 U.S.C. §103(a) as being unpatenable over Jammes, in view of Francisco and further in view of MacPhail. Applicant respectfully traverses these rejections under 35 U.S.C. §103.

The Applicant respectfully submits that Jammes does not disclose or suggest the claimed invention. Amended Claim 1 recites, among other things, a method for extracting data from a network by a server, including extracting data from the determined web domain address based on the database-structured query, wherein the database-structured query is performed upon at least a non-database arrangement of content at the web domain address. The claimed invention, however, is configured to treat content on a network, such as the Internet, as a though it is a searchable database. See Applicant's specification at page 2, lines 26-28, and page 8, lines 25-26. Thus, the claimed invention may perform the query even when a structured database arrangement of the content is not present! This is very much unlike, Jammes, which requires the presence of its

particular structured database in order to function. Therefore, for at least this reason, Jammes does not disclose or suggest the claimed invention, and therefore should be withdrawn.

Additionally, because independent Claims 11, 17, 27, 34, 39, and 40 include a similar clarification as Claim 1, albeit different, they are also allowable for at least substantially the same reasons as independent Claim 1.

In regard to Claims 2-10, 12-16, 18-26, 28-33, and 35-38, which are dependent on amended independent Claims 1, 17, 27, 34, and 39 respectively, they are allowable for at least the same reasons discussed above for those independent claims. Therefore, Applicant respectfully submits that Claims 1-40 are in condition for allowance and should be allowed to issue.

### **CONCLUSION**

By the foregoing explanations, Applicant believes that this response has responded fully to all of the concerns expressed in the Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Early favorable action in the form of a Notice of Allowance is urged. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone Applicant's attorney at the number listed below.

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Respectfully submitted,

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